
HOUSE BILL 2491

State of Washington

60th Legislature

2008 Regular Session

By Representatives Green, Chandler, Hunt, Armstrong, and Appleton; by request of Secretary of State

Prefiled 12/31/07. Read first time 01/14/08. Referred to Committee on State Government & Tribal Affairs.

1 AN ACT Relating to candidate filing; amending RCW 29A.24.031,
2 29A.24.070, and 29A.24.091; and declaring an emergency.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 **Sec. 1.** RCW 29A.24.031 and 2004 c 271 s 158 are each amended to
5 read as follows:

6 A candidate who desires to have his or her name printed on the
7 ballot for election to an office other than president of the United
8 States, vice president of the United States, or an office for which
9 ownership of property is a prerequisite to voting shall complete and
10 file a declaration of candidacy. The secretary of state shall adopt,
11 by rule, a declaration of candidacy form for the office of precinct
12 committee officer and a separate standard form for candidates for all
13 other offices filing under this chapter. Included on the standard form
14 shall be:

15 (1) A place for the candidate to declare that he or she is a
16 registered voter within the jurisdiction of the office for which he or
17 she is filing, and the address at which he or she is registered;

18 (2) A place for the candidate to indicate the position for which he
19 or she is filing;

1 (3) A place for the candidate to indicate a party designation, if
2 applicable;

3 (4) A place for the candidate to indicate the amount of the filing
4 fee accompanying the declaration of candidacy or for the candidate to
5 indicate that he or she is (~~filing a nominating~~) submitting a filing
6 fee petition in lieu of the filing fee under RCW 29A.24.091;

7 (5) A place for the candidate to sign the declaration of candidacy,
8 stating that the information provided on the form is true and swearing
9 or affirming that he or she will support the Constitution and laws of
10 the United States and the Constitution and laws of the state of
11 Washington.

12 In the case of a declaration of candidacy filed electronically,
13 submission of the form constitutes agreement that the information
14 provided with the filing is true, that he or she will support the
15 Constitutions and laws of the United States and the state of
16 Washington, and that he or she agrees to electronic payment of the
17 filing fee established in RCW 29A.24.091.

18 The secretary of state may require any other information on the
19 form he or she deems appropriate to facilitate the filing process.

20 **Sec. 2.** RCW 29A.24.070 and 2006 c 263 s 614 are each amended to
21 read as follows:

22 Declarations of candidacy shall be filed with the following filing
23 officers:

24 (1) The secretary of state for declarations of candidacy for
25 statewide offices, United States senate, and United States house of
26 representatives;

27 (2) The secretary of state for declarations of candidacy for the
28 state legislature, the court of appeals, and the superior court when
29 the candidate is seeking office in a district comprised of voters from
30 two or more counties(~~(. The secretary of state and the county auditor~~
31 ~~may accept declarations of candidacy for candidates for the state~~
32 ~~legislature, the court of appeals, and the superior court when the~~
33 ~~candidate is seeking office in a district comprised of voters from one~~
34 ~~county));~~

35 (3) The county auditor for all other offices. For any nonpartisan
36 office, other than judicial offices and school director in joint
37 districts, where voters from a district comprising more than one county

1 vote upon the candidates, a declaration of candidacy shall be filed
2 with the county auditor of the county in which a majority of the
3 registered voters of the district reside. For school directors in
4 joint school districts, the declaration of candidacy shall be filed
5 with the county auditor of the county designated by the superintendent
6 of public instruction as the county to which the joint school district
7 is considered as belonging under RCW 28A.323.040(+

8 ~~(4) For all other purposes of this title, a declaration of~~
9 ~~candidacy for the state legislature, the court of appeals, and the~~
10 ~~superior court filed with the secretary of state shall be deemed to~~
11 ~~have been filed with the county auditor when the candidate is seeking~~
12 ~~office in a district composed of voters from one county)).~~

13 Each official with whom declarations of candidacy are filed under
14 this section, within one business day following the closing of the
15 applicable filing period, shall transmit to the public disclosure
16 commission the information required in RCW 29A.24.031 (1) through (4)
17 for each declaration of candidacy filed in his or her office during
18 such filing period or a list containing the name of each candidate who
19 files such a declaration in his or her office during such filing period
20 together with a precise identification of the position sought by each
21 such candidate and the date on which each such declaration was filed.
22 Such official, within three days following his or her receipt of any
23 letter withdrawing a person's name as a candidate, shall also forward
24 a copy of such withdrawal letter to the public disclosure commission.

25 **Sec. 3.** RCW 29A.24.091 and 2006 c 206 s 3 are each amended to read
26 as follows:

27 A filing fee of one dollar shall accompany each declaration of
28 candidacy for precinct committee officer; a filing fee of ten dollars
29 shall accompany the declaration of candidacy for any office with a
30 fixed annual salary of one thousand dollars or less; a filing fee equal
31 to one percent of the annual salary of the office at the time of filing
32 shall accompany the declaration of candidacy for any office with a
33 fixed annual salary of more than one thousand dollars per annum. No
34 filing fee need accompany a declaration of candidacy for any office for
35 which compensation is on a per diem or per meeting attended basis.

36 A candidate who lacks sufficient assets or income at the time of
37 filing to pay the filing fee required by this section shall submit with

1 his or her declaration of candidacy a filing fee petition. The
2 petition shall contain not less than a number of signatures of
3 registered voters equal to the number of dollars of the filing fee.
4 The signatures shall be of voters registered to vote within the
5 jurisdiction of the office for which the candidate is filing.

6 When the candidacy is for:

7 (1) A statewide office, the fee shall be paid to the secretary of
8 state;

9 (2) A legislative or judicial office that includes territory from
10 more than one county, the fee shall be paid to the secretary of state
11 for equal division between the treasuries of the counties comprising
12 the district(~~(-)~~);

13 ~~((+2))~~ (3) A legislative or judicial office that includes
14 territory from only one county(~~(÷~~

15 ~~(a)~~), the fee shall be paid to the county auditor (~~if the~~
16 ~~candidate filed his or her declaration of candidacy with the county~~
17 ~~auditor;~~

18 ~~(b) The fee shall be paid to the secretary of state if the~~
19 ~~candidate filed his or her declaration of candidacy with the secretary~~
20 ~~of state. The secretary of state shall then promptly transmit the fee~~
21 ~~to the county auditor of the county in which the legislative or~~
22 ~~judicial office is located.));~~

23 ~~((+3))~~ (4) A city or town office, the fee shall be paid to the
24 county auditor, who shall transmit it to the city or town clerk for
25 deposit in the city or town treasury.

26 NEW SECTION. Sec. 4. This act is necessary for the immediate
27 preservation of the public peace, health, or safety, or support of the
28 state government and its existing public institutions, and takes effect
29 immediately.

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